

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

----- :
HOFFMANN-LA ROCHE INC. et al., :

Plaintiffs, :

v. :

APOTEX INC. and APOTEX CORP., :

Defendants. :
----- :
----- :

Civil Action No. 07-4417 (SRC) (MAS)
Civil Action No. 08-3065 (SRC) (MAS)
Civil Action No. 08-4053 (SRC) (MAS)
Civil Action No. 10-6241 (SRC) (MAS)
(consolidated with 07-4417 for all purposes)

ORDER

----- :
HOFFMANN-LA ROCHE INC. et al., :

Plaintiffs, :

v. :

DR. REDDY'S LABORATORIES,
LTD. and DR. REDDY'S
LABORATORIES, INC., :

Defendants. :
----- :
----- :

Civil Action No. 07-4516 (SRC) (MAS)
Civil Action No. 08-3607 (SRC) (MAS)
Civil Action No. 08-4055 (SRC) (MAS)
Civil Action No. 10-5623 (SRC) (MAS)
(consolidated with 07-4516 for all purposes)

----- :
HOFFMANN-LA ROCHE INC. et al., :

Plaintiffs, :

v. :

WATSON LABORATORIES, INC.,
WATSON PHARMACEUTICALS,
INC., WATSON PHARMA, INC.,
COBALT PHARMACEUTICALS INC.,
and COBALT LABORATORIES, INC., :

Defendants. :
----- :

Civil Action No. 07-4539 (SRC) (MAS)
Civil Action No. 07-4540 (SRC) (MAS)
Civil Action No. 08-4054 (SRC) (MAS)
Civil Action No. 10-6206 (SRC) (MAS)
(consolidated with 07-4539 for all purposes)

-----	:	
HOFFMANN-LA ROCHE INC. et al.,	:	
	:	
Plaintiffs,	:	
	:	
v.	:	Civil Action No. 07-4582 (SRC) (MAS)
	:	Civil Action No. 08-4051 (SRC) (MAS)
ORCHID CHEMICALS &	:	Civil Action No. 10-4050 (SRC) (MAS)
PHARMACEUTICALS LTD., ORCHID	:	(consolidated with 07-4582 for all purposes)
HEALTHCARE, ORCHID	:	
PHARMACEUTICALS INC., and	:	
ORGENUS PHARMA INC.,	:	
	:	
Defendants.	:	
-----	:	

-----	:	
HOFFMANN-LA ROCHE INC. et al.,	:	
	:	
Plaintiffs,	:	
	:	
v.	:	Civil Action No. 07-4661 (SRC) (MAS)
	:	Civil Action No. 08-4052 (SRC) (MAS)
MYLAN INC., MYLAN	:	Civil Action No. 11-0579 (SRC) (MAS)
PHARMACEUTICALS INC.,	:	(consolidated with 07-4661 for all purposes)
GENPHARM ULC and GENPHARM,	:	
L.P.,	:	
	:	
Defendants.	:	
-----	:	

CHESLER, U.S.D.J.

This matter having come before the Court on the motion for summary judgment, pursuant to Federal Rule of Civil Procedure 56, by Defendants Watson Pharmaceuticals, Inc., Watson Laboratories, Inc., Watson Pharma, Inc., Cobalt Pharmaceuticals Inc. and Cobalt Laboratories, Inc., Apotex Inc. and Apotex Corp., Dr. Reddy's Laboratories, Ltd. and Dr. Reddy's Laboratories, Inc., Orchid Chemicals & Pharmaceuticals Ltd., Orchid Healthcare, Orchid Pharmaceuticals Inc., Orgenus Pharma Inc., Mylan Inc., Mylan Pharmaceuticals Inc., Genpharm

ULC and Genpharm, L.P. (collectively, “Defendants”) that claims 1-8 of U.S Patent No.

7,718,634 (the “’634 patent) are invalid based on obviousness; and the Court having considered the parties’ submissions, and for the reasons stated in the accompanying Opinion, and good cause appearing,

IT IS on this 7th day of May, 2012

ORDERED that Defendants’ motion for summary judgment (Docket Entry No. 415) is **GRANTED**, and Judgment on Defendants’ affirmative defense to infringement of claims 1-8 of U.S Patent No. 7,718,634 of invalidity due to obviousness is hereby entered in Defendants’ favor; and it is further

ORDERED that, pursuant to 35 U.S.C. § 103(a), claims 1-8 of U.S Patent No. 7,718,634 are declared invalid based on obviousness.

s/ Stanley R. Chesler
Stanley R. Chesler, U.S.D.J.